

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

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Aaron Meseck, individually, and  
collectively on behalf of current and  
former employees, similarly situated, and  
Jeffrey Webber, individually, and  
collectively on behalf of current and  
former independent contractors, similarly  
situated,

Plaintiffs,

vs.

TAK Communications, Inc., Micah  
Mauney, and Brian Boyden,

Defendants.

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Court File No. 0:10-cv-00965-JRT-TNL

**JOINT MOTION FOR  
PRELIMINARY APPROVAL OF  
COLLECTIVE AND CLASS  
ACTION SETTLEMENT**

Named plaintiffs Aaron Meseck and Jeffrey Webber (“the Named Plaintiffs”) and  
defendants TAK Communications, Inc., Micah Mauney, and Brian Boyden (collectively,  
“Defendants”), by and through their undersigned attorneys, jointly move the Court for  
entry of an Order:

1. Granting preliminary approval of the parties’ proposed settlement, as  
memorialized in their Confidential Settlement Agreement and Release of Claims (“the  
Agreement”);
2. Provisionally certifying the following settlement class under Fed. R. Civ. P.  
23(a) and (b)(3) for purposes of effectuating the parties’ settlement:

All individuals who reside in the State of Minnesota and who  
worked as an Installation Technician for TAK  
Communications, Inc., between March 25, 2007, and [date  
the Notice and Claims Administration Form are initially  
mailed], whether classified as an employee or independent  
contractor;

3. Appointing Doda & McGeeney, P.A., as class counsel;
4. Approving the parties' proposed Notice and Claims Administration Form;
5. Establishing a schedule for final approval and implementation of the settlement in this action, including, without limitation, the holding of a final fairness hearing; and
6. Granting such other relief as the Court deems just and proper.

This joint motion is based upon the Agreement and the exhibits thereto, the accompanying memorandum of law and the declarations in support thereof, and all the files, records, and proceedings herein.

Dated: December 6, 2011

*s/ Jeffrey A. Timmerman*

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**ATTORNEYS FOR DEFENDANTS**

Dated: December 6, 2011

*w/consent of Daniel P. Doda*

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